

Message Text

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UNCLAS SECTION 1 OF 3 CARACAS 8496

FROM US DEL LOS

DEPT PLS PASS TO INTERIOR AMB. WILLIAMS, AND HICOMTERPACIS

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: MICRONESIAN STATEMENT

FOLLOWING IS TEXT OF MICRONESIAN STATEMENT DISTRIBUTED
(BUT NOT READ) TO PLENARY SESSION 27 AUG.

QTE MR. PRESIDENT,
INTRODUCTION

1. ON BEHALF OF THEPEOPLE OF MICRONESIA, I EXPRESS OUR
APPRECIATTION FOR THE OPPORTUNITY TO ADDRESS THIS CONFERENCE
TO YOU, SIR, AND TO THE UNITED STATES, WHICH ADMINISTERS
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MICRONESIA ON BEHALF OF THE UNITED NATIONS. I WISH ALSO TO

THANKS THE HOST COUNTRY, VENEZUELA, FOR THE GRACIOUS HOPITATLITY SHOWN TO US. I SHALL COVER ONLY POINTS OF VITA INTEREST TO MICRONESIA.

2. THE VIEWS EXPRESSED IN THESE REMARKS ARE NOT NECESSARILY CONSISTENT WITH THE POSITIONS OF THE UNITED STATES DELEGATION. I SPEAK FOR MICRONESIA AND FOR ITS PEOPLE, AND FOR NO ONE ELSE.

3. MR. PRESIDENT, MICRONESIA CONSISTS OF MORE THAN TWO THOUSAND SMALL ISLANDS, SCATTERED OVER A LARGE AREA OF THE CENTRAL PACIFIC. OUR PRINCIPAL ISLAND GROUPS ARE THE CAROLINES, THE MARSHALLS, AND THE MARIANAS. OUR LAND AREA IS EXTREMELY SMALL, TOTALING ONLY A LITTLE MORE THAN SEVEN HUNDRED SQUARE MILES. OUR POPULATION IS FAIRLY EVENLY DISTRIBUTED THROUGHOUT THE MICRONESIAN AREA, WITH SMALL NUMBERS OF PEOPLE INHABITING LARGE NUMBERS OF ISLANDS. WITH ONLY TWO EXCEPTIONS, ALL OF OUR ISLANDS ARE LESS THAN 50 SQUARE MILES IN AREA. OUR SMALLEST INHABITED ISLANDS ARE LESS THAN ONE SQUARE KILOMETERS IN AREA.

4. FOR HUNDREDS OF GENERATIONS OUR PEOPLE HAVE DEPENDED UPON OUR SEA RESOURCES. THE SEA STILL PROVIDES OUR PRIMARY SOURCE OF FOOD AS IT HAS IN THE PAST. FOR MORE THAN A THOUSAND YEARS MOST OF OUR ISLANDS WERE WOVEN TOGETHER INTO A SINGLE POLLITICAL EMTITY. COMMUNICATION BETWEEN ISLANDS INTHOSE DAYS WAS PROVIDED BY OUTRIGGER SAIL CANOE. IN MANY PARTS OF MICRONESIA TODAY THAT IS STILL THE MEANS OF COMMUNICATION.

5. BECAUSE OUR LAND AREA IS SO SMALL, THE LIFE OS ISLANDERS IS FOCUSED ON THE SEA. ALL ASPECTS OF OUR LIFE REFLECTS THAT FOCUS ON THE SEA, INCLUDING OU VALUES AND PROPERTY CONCEPTS. UNDER THOSE CONCEPTS OUR PEOPLE OWN CAREFULLY DEFINED AND DESCRIBED AREAS OF THE SEA, IN SOME CASES MORE THAN A HUNDRED MILES FROM THE NEAREST ISLANDS, IN THE SAME WASY THAT THEY OWN LAND. THE RIGHTS OF ISLANDERS IN THESE DISTANT SEA AREAS ARE CLEARLY DEFINED AND THEY ARE INHERITABLE. A VIOLATION OF THOSE RIGHTS IS CONSIDERED A WRONGFUL ACT SIMILAR TO A TRESPASS ON PROPERTY.

6. AS AN EMERGING NATION, OUR MAJOR GOAL IS TO BECOME ECONOMICALLY SELF-SUFICIENT FOR ONLY THEN WILL WE BE ABLE

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TO ACHIEVE TRUE POLITICAL INDEPENDENCE. BUT BECAUSE OF OUR TINY LAND AREA WE HAVE LITERALLY NO REOSOURCES ON LAND WITH WHICH TO ESTABLISH A VIABLE ECONOMY. WE HAVE NO PETROLEUM OR MINERALS. NEARLY ALL OF OUR ARABLE LAND IS UNDER CULTIVATION, BUT STILL WE MUST IMPORT FOOD TO FEED OUR PEOPLE. IF WE ARE TO ACHIEVE ECONOMIC VIABILITY AND POLITICAL FREEDOM, WE MUST RELY ON THE RESOURCES OF THE SEA SURROUNDIN OUR ISLANDS.

7. MR. PRESIDENT, MICRONESIA IS A UN TRUST TERRITORY. NEXT YEAR IT WILL BE THE LAST REMAINING TRUST TERRITORY OF ALL THOSE CREATED BY THE UNITED NATIONS FOLLOWING WORLD WAR II. WE ARE NOW NEGOTIATING WITH THE UNITED STATES FOR A NEW POLITICAL STATUS. NEXT YEAR WE SHALL HAVE OUR CONSTITUTIONAL CONVENTION. WE CONSIDER OURSELVES A SOVEREIGN PEOPLE, THOUGH THE EXERCISE OF SOVEREIGNTY BY OUR OWN PEOPLE HAS BEEN TEMPORARILY SUSPENDED BY FORCES OF HISTORY OVER WHICH WE HAVE THE INTERESTS OF A SOVEREIGN PEOPLE TO CONSIDER AND PROTECT AT THIS CONFERENCE. NO INTEREST IS MORE VITAL TO US THAN OUR RESOURCE RIGHTS IN THE SEA.

8. IN THAT CONNECTION, LET ME TAKE THIS OCCASION TO THANK THE UNITED STATES, THE ADMINISTERING AUTHORITY FOR THE TRUST TERRITORY OF THE PACIFIC ISLANDS, FOR ITS ASSISTANCE IN MAKING POSSIBLE OUR PARTICIPATION IN THIS CONFERENCE. MR. PRESIDENT, I WOULD NOW LIKE TO ADDRESS THE SUBSTANTIVE ISSUES AS THEY AFFECT MICRONESIA.

ISLANDS

9. SUGGESTIONS HAVE BEEN MADE THAT, CONTRARY TO THE EQUAL TREATMENT OF ISLANDS UNDER EXISTING INTERNATIONAL LAW, SMALL ISLANDS SHOULD BE DENIED THE BENEFITS OF A FULL ECONOMIC ZONE. MR. PRESIDENT, WE HAVE TWO KINDS OF ISLANDS IN MICRONESIA: THE SO-CALLED HIGH ISLANDS, OF VOLCANIC ORIGIN, THAT STAND FREQUENTLY BY THEMSELVES, AND THE SO-CALLED LOW ISLANDS, OF CORAL GROWTH ORIGIN. THE LOW ISLANDS ARE THE SURFACE PORTIONS OF REEF POINTS AROUND THE LAGOON. ALMOST ALL OF OUR ISLANDS, HOWEVER, WHETHER HIGH OR LOW, ARE VERY SMALL. FOR THAT REASON, OUR PEOPLE ARE ALL THE MORE DEPENDENT UPON AND ORIENTED TO THE SEA. IT IS NO EXAGGERATION TO SAY THAT

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MICRONESIANS ARE NOT ONLY ESPECIALLY DEPENDENT UPON, BUT UTTERLY DEPENDENT UPON, THE SEA.

10. SMALL ISLANDS WHICH HAVE NO LAND RESOURCES TO SPEAK OF NEED THE BENEFITS OF AN ECONOMIC ZONE AND THE SEA'S RESOURCES WITHIN IT MORE DESPERATELY THAN ANY OTHER TERRITORIES. IT WOULD NOT DO EQUITY TO DENY THE SEA'S RESOURCES TO THOSE WHO NEED THEM MOST.

NOTE BY OC/T: NOT PASSED HICOMTERPACIS.

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ACTION DLOS-07

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FROM US DEL LOS

DEPT PLS PASS TO INTERIOR AMB. WILLIAMS, AND HICOMTERPACIS

11. SUGGESTIONS HAVE ALSO BEEN MADE THAT UNINHABITED ISLANDS SHOULD NOT HAVE A FULL ECONOMIC ZONE. MR. PRESIDENT, ALMOST ALL OF OUR HIGH ISLANDS, AND ALMOTS ALL OF OUR ATOOLS, MADE UP OF LOW ISLANDS, ARE INHABITED. BUT SOME ISLANDS ARE INHABITED ONLY PART OF THE YEAR, WHILE OTHERS ARE USED NOT AS RESIDENCES BUT FOR FISHING OR IN SOME FUCTIONAL WASY OTHER THAN FOR PERMANENT HABITATION. THEY ARE ALL THE SAME AS VITAL A PART OF OUR ECONOMY AND LIVELIHOOD AS SOME ISLANDS THAT MAY HAVE PERMANENT DWELLINGS ON THEM, BUT MAY HAVE LITTLE OR NO FISH RESOURCES NEAR THEM. WE DO NOT BELIEVE THAT THE CRITERIA OF INHABITATION OR SIEZE ARE PRACTICAL OR EQUITABLE.

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12. OUR VIEWS ON THE SUBJECT OF A FULL ZONE FOR ISLANDS HAVE BEEN EXPRESSED IN THE DISCUSSION IN COMMITTEE II ABLY AND ELOQUENTLY BY THE DISTINGUISHED REPRESENTATIVES OF FIJI, TONGA, WESTERN SAMOA, THE COOK ISLANDS, PAPUA NEW GUINEA, NEW ZEALAND, TRINIDAD AND TOBAGO, AND OTHERS. I SHALL NOT REPEAT THEIR STATEMENTS. BUT I DO WISH TO QUOTE BRIEFLY FROM THE 1973 REPORT OF THE TRUSTEESHIP COUNCIL TO THE SECURITY COUNCIL OF THE UNITED NATIONS IN WHICH IT TOOK PARTICULAR NOTE OF OUR SITUATION. IN ITS REPORT TO THE SECURITY COUNCIL, THE TRUSTEESHIP COUNCIL SAID: INNERQUOTE BECAUSE OF THE IMPORTANCE TO MICRONESIA OF MARINE RESOURCES IT IS IMPORTANT THAT THOSE RESOURCES IN AREAS OF MICRONESIAN SOVEREIGNTY BE PROTECTED, AND THE COUNCIL WISHES TO EMPHASIZE THE RESPONSIBILITY WHICH THE ADMINISTERING AUTHORITY HAS FOR THIS PROTECTION. END INNERQUOTE. TERRITORIES UNDER FOREIGN DOMINATION.

13. MR. PRESIDENT, A STRONG TREND HAS DEVELOPED IN THIS CONFERENCE TO PREVENT COLONIAL OR FOREIGN DOMINATING POWERS FROM REAPING THE BENEFITS OF THE ECONOMIC ZONES OF DEPENDENT TERRITORIES UNDER THEIR CONTROL. WE FULLY SHARE THE CONCERNS OF THE SPONSORS OF VARIOUS PROPOSALS TO THIS END. BUT WE JOIN OUR PACIFIC NEIGHBORS -- FIJI, NEW ZEALAND, TONGA, AND WESTERN SAMOA -- IN FEELING STRONGLY THAT THE EQUITABLE SOLUTION TO THIS PROBLEM IS TO PROVIDE EXPRESSLY IN THE CONVENTION THAT SUCH POLITICALLY DISADVANTAGED TERRITORIES SHALL BE ENTITLED TO AN ECONOMIC ZONE, AND THAT THE RIGHTS AND BENEFITS OF SUCH ZONES SHALL BELONG TO, AND BE EXERCISABLE ONLY BY, THE INHABITANTS OF SUCH TERRITORIES. THROUGH ANY OTHER APPROACH, THIS CONFERENCE MIGHT BE DENYING TO DEPENDENT AREAS THE VERY RESOURCES THEY MOST NEED TO FREE THEMSELVES FROM THAT CONDITION.

TERRITORIAL SEA MEASUREMENT

14. MR. PRESIDENT, AN ISSUE OF GREAT IMPORTANCE TO ISLAND STATES COMPOSED PRIMARILY OF ATOLLS AND ISLANDS SUCH AS MICRONESIA CONCERNS THE MEASUREMENT OF TERRITORIAL SEAS AROUND ATOLLS. THE LAGOONS OF ATOLLS ARE NORMALLY ENCIRCLED BY A CONTINUOUS OR SUBSTANTIALLY CONTINUOUS REEF SYSTEM, MOST OF WHICH IS SUBMERGED AT LOW UNCLASSIFIED

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TIDE. THE ISLANDS OF THE ATOLL ARE LOCATED ON THEREEF. THE LAGOONS HAVE THE CHARACTER IN EVERY MEANINGFUL WAY OF LANDLOCKED WATERS. BY MEASURING THE TERRITORIAL SEA FROM THE ISLANDS RATHER THAN THE REEF SYSTEM, HOWEVER, PORTIONS OF THE LAGOONS OF SOME ATOLLS TECHNICALLY MIGHT BE CONSIDERED TO BE INNERQUOTE HIGH SEAS. END INNERQUOTE. FIJI, NEW ZEALAND, TONGA AND WESTERN SAMOA HAVE MADE PROPOSALS TO REMEDY THIS

SITUATIO, BY MEASURING THE TERRITORIAL SEA OF AN ATOLL FROM THE CONTOUR OF THE REEF SYSTEM. WE FULLY SUPPORT THIS APPROACH.

FISHERIES

15. MR. PRESIDENT, I SHOULD LIKE TO MAKE SOME BRIEF REMARKS ABOUT THE FISHEREIS ISSUE. THE ONLY RESOURCE OF CONSEQUENCE IN THE SEA AROUND OUR ISLANDS IS THE TUNA. WE HAVE NO CONTINENTAL SHELF, NO PROSPECTS FOR FINDING PETROLEUM; VERY LIMITED QUANTITIES OF OTHER SPECIES OF FISH; AND OUR SEAS ARE THE DEEPEST IN THE WORLD, MAKING DEEP SEA MINIERAL EXPLOITATION DIFFICULT OR OMPOSSIBLE FOR THE FORESEEABLE FUTURE. WE THEREFORE HAVE A VERY SPECIAL INTEREST -- A VITAL INTERST-- IN THE TREATMENT TO BE GIVEN TO HIGHLY MIGRATORY SPECIES OF FISH AT THIS CONFERENCE.

16. THE SUGGESTION HAS BEEN MADE THAT THE RESOURCE RIGHTS OF COASTAL STATES FOR HIGHLY MIGRATORY SPECIES OF FISH AROUND AND TAKEN IN HEIR ECONOMIC ZONE SHOULD BE DIFFERENT FROM AND LESS THAN THEIR RIGHTS TO SPEND MORE TIME ON THE HIGH SEAS DURING A PART OF THEIR LIFE CYCLE THAN DO THE COASTAL SPECIES, AND THAT CONSQUENTLY CONSERVATION REQUIRED REGULATING THEIR HARVESTING ON THE HIGH SEAS AS WELL AS IN COASTAL STATES ECONOMIC ZONES.

17. WE AGREE WITH THAT POINT, BUT WE WHOLLY FAIL TO SEE WHY DIFFERENT OR ADDITIONAL CONSERVATION MEASURES FOR PARTICULAR SPECIES SHOULD LEAD TO DIMINISHING COASTAL STATE RESOURCE RIGHTS IN THEIR ECONOMIC ZONES.

18. WHERE A PARTICLAR SPECIES OF FISH ANYWHERE IS ENDANGERD FOR ANY REASON, IT SHOULD BE PROTECTED. IF SUCH PROTECTION REQUIRED AGREEMTNA MONG A FEW NATIONS, SUCH AGREEMENT UNCLASSIFIED

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SHOULD BE PROCURED. IF SUCH PROTECTION REQUIRES AN ORGANIZATION TO FULFILL THEFUNCTIONS OF CONSERVATION AN ALLOCATION OF THE ALLOWABLE CATCH ON THE HIGH SEAS,SUCH AN ORGANIZATION SHOULD BE CREATED AND EMPOWERED.

19. IF THERE IS A DIFFERENCE OF OPINION ABOUT WHETHER CONSERVATION BY AN ORGANIZATION IS REQUIRED, AN IMPARTIAL AND EXPERT JUDGEMENT CAN BE USED TO SETTLE THE MATTER, SUCH AS THAT OF THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS. SOME DELEGATIONS HAVE SUGGESTED THAT COURSE, AND IT SEEMS TO US EMINENTLY SENSIBLE.

NOTE BY OC/T: NOT PASSED HICOMTERPACIS.

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FROM US DEL LOS

DEPT PLS PAS S TO INTERIOR-AMB. WILLIAMS, AND HICOMTERPACIS

20. BUT WE DO NOT AGREE THAT IN ORDER TO IMPROVE CONSERVATION THE RIGHTS OF COASTAL STATES SHOULD BE DISCRIMINATED AGAINST IN THE CASE OF ANY SPECIES. THE SOLUTION TO ACTUAL OR POTENTIAL CONSERVATION PROBLEMS IN THE CASE OF HIGHLY MIGRATORY SPECIES OF FISH IS NOT TO REDUCE THE RIGHTS OF COASTAL, BUT TO STRENGTHEN THE MEANS OF CONSERVATION, AND OF ALLOCATION OF THE ALLOWABLE CATCH.

21. MR. PRESIDENT, WE ACCEPT FULLY THE PRINCIPLES OF CONSERVATION AND FULL UTILIZATION OF ALL SPECIES OF FISH. BUT ENTIRELY CONSISTENTLY WITH THOSE PRINCIPLES, WE BELIEVE THAT COASTAL STATES, INCLUDING MICRONESIA, SHOULD HAVE THE FOLLOWING RIGHT:

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1. A CLEAR AND EXCLUSIVE PREFERENCE TO THE EXTEND OF THEIR HARVESTING CAPACITY TO HARVEST ALL FISH IN THEIR ECONOMIC ZONE;

2. COASTAL STATES, INCLUDING MICRONESIA, SHOULD HAVE REASONABLE COMPENSATION FOR ALL FISH HARVESTED IN THEIR ECONOMIC ZONE BY FOREIGN FLAG VESSELS; AND

3. THEY SHOULD HAVE THESE RIGHTS CLEARLY SPELLED OUT IN THE CONVENTION.

2. WE BELIEVE THAT THESE RIGHTS OF COASTAL STATES SHOULD BE GIVEN EFFECT WITHOUT POSSIBILITIES OF DELAY OR EVASION. SOME PARTS OF THE WORLD URGENTLY REQUIRE REGIONAL CONSERVATION MEASURES NOW, AND OTHERS WILL REQUIRE THEM IN THE FUTURE. BUT UNLESS AND UNTIL SUCH REGIONAL PROTECTION IS BROUGHT ABOUT, COASTAL STATES SHOULD HAVE THE RIGHT TO ISSUE CONSERVATION AND ALLOCATION REGULATIONS FOR THEIR OWN ECONOMIC ZONES.

23. ONCE THE RIGHTS OF THE COASTAL STATES ARE CLEARLY DEFINED, WE BELIEVE THAT IT WILL BE MUCH EASIER TO BRING ABOUT REGIONAL PROTECTION. IN ANY REGIONAL SYSTEM, FURTHERMORE WE BELIEVE THAT ENFORCEMENT PROVISIONS SHOULD BE STRONG ENOUGH TO INSURE COMPLIANCE BOTH IN THE ECONOMIC ZONE AND ON THE HIGH SEAS, AND THAT THESE SHOULD BE COMPLEMENTED BY A SYSTEM OF SWIFT, EFFECTIVE, AND COMPULSORY DISPUTE SETTLEMENTS THAT WILL BE SENSITIVE TO THE NEEDS OF SMALL COASTAL STATES. WE BELIEVE THAT A SYSTEM EMBODYING SUCH A BALANCE OF INTERESTS OF COASTAL AND DISTANT FISHING NATIONS IS PERFECTLY FEASIBLE.

ARCHIPELAGO

24. MR. PRESIDENT ANOTHER SUBJECT OF GREAT CONCERN TO MICRONESIA IS OUR STATUS AS AN ARCHIPELAGIC MID-OCEAN, ISLAND STATE. THE CONGRESS OF MICRONESIA IN JANUARY OF 1974 FORMALLY ADOPTED THE ARCHIPELAGIC POSITION FOR MICRONESIA. SINCE COMING TO THIS CONFERENCE WE HAVE HEARD THE EXPRESSED CONCERNS OF MANY THAT ARCHIPELAGIC REGIMES MAY IMPOSE BURDENS ON NAVIGATION, AND THAT THIS ASPECT OF SUCH REGIMES IS AN OBSTACLE TO RECOGNITION OF THE REIME FOR SOME OF OUR NEIGHBORS, TO WHOM THE ASPECT OF SECURITY OF THEIR WATERS AND CONTROL OF NAVIGATION IS OF VITAL INTEREST. ON THE OTHER HAND, IT

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MAY BE POSSIBLE TO FIND WAYS TO HARMONIZE THOSE ARCHIPELAGIC CONCERNS WITH THE CONCERN FOR ADEQUATE INTERNATIONAL NAVIGATION AND TRANSIT OF ARCHIPELAGIC WATERS.

THE COMPLEXITIES OF THIS SUBJECT, AS OF OTHERS AT THIS CONFERENCE, REQUIRE FURTHER CONSIDERATION, FROM WHICH SOLUTIONS MAY BE FOUND. E THEREFORE RESERVE COMMENT ON THIS SUBJECT FOR THE NEXT SESSION OF THE CONFERENCE.

POLLUTION

25. FINALLY. MR. PRESIDENT, WE WISH TO EXPRESS OUR GREAT CONCERN THAT ADEQUATE MEANS BE FOUND TO PROTECT THE SEAS FROM POLLUTION OF ALL KINDS. WHILE THE DANGERS OF POLLUTION FROM VESSELS OR SEABED ACTIVITY ARE WELL RECOGNIZED, WE ARE ALSO DEEPLY CONCERNED ABOUT THE GREAT UNSOLVED PROBLEM OF DISPOSING OF RADIOACTIVE ATOMIC WASTE MATERIALS. THE PEOPLE OF MICRONESIA HAVE VERY SPECIAL FEELINGS ABOUT THIS MATTER. YEARS AGO, ONE SOLUTION ADOPTD WAS TO DUMP SUCH WASTE MATERIALS IN THE DEEP SEA NEAR OUR ISLANDS. IT IS NOW CLEAR THAT THE HAZARDS OF DOING SO WERE NOT ADEQUATELY UNDERSTOOD. NOT ONLY MICRONESIA BUT THE WHOLE WORLD MUST BE ASSURED AGAINST SIMILAR POTENTIALLY DISASTROUS EXPERIMENTATION AND PRACTICES IN THE FUTURE.

26. MR. PRESIDENT, WE VERY MUCH HOPE THAT THE CONFERENCE WILL TAKE INTO ACCOUNT OUR VIEWS AND SITUATION. WE DEPEND UPON THE INTERNATIONAL COMMUNITY NOT TO DISCRIMINATE AGAINST ISLANDS OF ISLAND STATES IN THIS GREAT ENDEAVOR TO DEVELOP A NEW AN EQUITABLE LAW OF THE SEA. WE HOPE FOR A SPEEDY AND SUCCESSFUL CONCLUSION OF THE CONFERENCE IN 1975. I THANK YOU . MR. PRESIDENT ENDQTE.
STEVENSON

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